

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RICHARD KERR,

Civil No. 10-1722 (RHK/AJB)

Plaintiff,

v.

**ORDER OF DISMISSAL
WITH PREJUDICE**

UNITED STATES OF AMERICA,

Defendant.

Pursuant to the Stipulation to Dismiss with Prejudice (Doc. No. 11), which Stipulation is incorporated herein by reference, **IT IS ORDERED** that this action is **DISMISSED WITH PREJUDICE**, with each party to bear its own attorney's fees, costs, and disbursements. This dismissal shall not have any effect on any right that Medicare may have with respect to Plaintiff.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 19, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge